IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY EIGHTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI JUSTICE B.PRAKASH RAO

-

WRIT PETITION NO : 15191 of 2003

Between:

T.Laxmipathi, S/o. late Bhoomaiah, Occ. Conductor, E.No. 303873 R/o. 6-6-41,Hamaliwadi Nizamabad.

..... PETITIONER

AND

1 APSRTC , Reptd. by its Regional Manager, Nizamabad Region, Nizamabad.
2 APSRTC, Reptd. by its Depot Manager, Bus Depot, Banswada, District Nizamabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ or direction particularly one in the nature of WRIT OF MANDAMUS declaring the impugned proceedings No.E2/255/(1)/02-RM-NZB, dated 30.6.2003 in regularizing the petitioners service only with effect from 01.01.2003 instead of regularizing his service with effect from 1.7.1988 on par with his colleagues C.V.Chary E.No. 303877, S.Anand E.No. 303899, Murali E.No.301673 and Baswant E.No. 301837 etc as arbitrary, unjust and in violation of Art.14, 16, & 21 of the Constitution of India and contrary to the purpose of award in I.D.No.5/01 and consequently direct the respondents corporation to regularize his service with effect from 1.7.1988 along with all consequential benefits

Counsel for the Petitioner: MR.V.NARASIMHA GOUD

Counsel for the Respondents: MR.V.T.M.PRASAD (S.C.FOR APSRTC)

The Court made the following :

-

-

-

-

ORDER:

This writ petition is filed by the petitioner challenging the impugned proceedings No.E2/255/(1)/02-RM-NZB, dated 30.6.2003 in regularizing the petitioners service only with effect from 01.01.2003 instead of regularizing his service with effect from 1.7.1988 on par with his colleagues C.V.Chary E.No. 303877, S.Anand E.No. 303899, Murali E.No.301673 and Baswant E.No. 301837 etc as arbitrary and contrary to the purpose of award in I.D.No.5/01 and for consequential direction to the respondents Corporation to regularize the services of the petitioner with effect from 1.7.1988 along with all consequential benefits.

Heard both sides. At their request, the main writ petition itself is taken up for disposal.

It is now represented by the Counsel on either side that having regard to the fact that similarly placed employees were already given the benefit as per the orders of this Court dated 21st November 2002 made in Writ Petition No. 12297 of 2000 and the same has been confirmed by the Division Bench of this Court by its judgment dated 30th October 2003 in Writ Appeal No. 1714 of 2003, the same can be extended to the petitioner herein also.

Following the above judgment, this writ petition is accordingly allowed as prayed for.

_____

Justice B. Prakash Rao

Dt.28/12/2004

Kvrk

That Rule Nisi has been made absolute as above;

Witness the Hon'ble Sri Devinder Gupta, the Chief Justice on this Tuesday, the Twenty Eighth Day of December Two Thousand and Four

Special Officer.

To

1 The Regional Manager, APSRTC, Nizamabad Region, Nizamabad.
2 The Depot Manager, APSRTC, Bus Depot, Banswada, District Nizamabad.

3. Two CD copies.